

Wayne County Prisoners being Housed at Pike County Prison Feasibility Study Information

On November 4, 2021, the Wayne County Board of Commissioners ended a six-week feasibility study period that was launched to explore the impact of housing Wayne County inmates at the Pike County Correctional facility.

1. Wayne County needed a 25% tax increase in the 2020 fiscal year, which was due to many years of declining financial performance, revenues being flat or reduced and expenditures (especially medical benefit costs) continuing to grow. From 2016 through 2019, Wayne County lost \$6.5 million dollars. The unreserved fund balance (surplus) declined from \$5.3 million to negative \$1.2 million.
2. This spurred the Commissioners to look at every department to see if there were any opportunities to save expenditures or enhance revenues.
3. This was the initial driving factor to look at the Prison operation (and other departments).
4. On April 9, 2021, S & P Global (The national rating agency) issued a downgrade of Wayne County's credit rating from AA- to A. That downgrade was two notches lower. The current rating is 6 notches below the highest rating and 5 notches above Junk Bond Status. The rating is "reflecting a deterioration in the County's financial position which led to a negative unreserved fund balance of \$1.2 million... 2019 audit showed a much larger than expected deficit of \$3.4 million.... With weak budgetary performance.... Expect Wayne County's financial position to stabilize in 2020 and thereafter following a 25% property tax hike." This downgrade will result in higher future borrowing costs.
5. The Prison Operation is the largest net cost department in the County. It is 16% of the general fund expenditure budget. The Average daily Prisoner population has steadily declined from 126 prisoners per day in 2014, to 96 in 2015, to 98 in 2016, to 82 in 2017, to 71 in 2018, to 65 in 2019, to 59 in 2020, to 63 in 2021. This is due to many reasons: The State Department of Corrections stopped housing out any of its prisoners, Pike County stopped housing out any of its prisoners, other Counties reducing the number of prisoners it houses out, Prisoner Transport Services reducing its number of in-transit housing of prisoners and the change in the justice system philosophy to greatly reduce incarceration rates by utilizing Drug Court, Intermediate Punishment, Probation and House Arrest. 2020 and 2021 were also affected by COVID reductions as well. These trends all have continued and are expected to continue for the future. The Pennsylvania State prisoner population has steadily declined from 51,284 in 2012 to 36,743 in 2021, a reduction of 14,541 prisoners.
6. The most recent Pennsylvania County Prison report with statistics from 2019 shows that Wayne County has the highest cost per prisoner of any of the 67 PA Counties - \$176.87 per prisoner per day (that is \$64,557 per prisoner per year). The average cost per PA County Prisoner in 2019 was \$91.74 (that is \$33,485 per prisoner per year).
7. The reduction in revenue to house other prisoner at the Prison since 2014 has been significant. The revenue in 2014 was \$1,007,438 and has declined to \$302,791 in 2019 (pre-COVID) to \$155,920 in 2020 and annualized for 2021 at \$93,291. It certainly appears that significant revenue opportunities will be very difficult to produce monies to offset future costs.
8. All of the above prompted the County to seek a professional consulting firm to review our prison for any efficiencies to improve our financial performance. Sweeney Corrections Consulting was retained. Mr. Edward Sweeney's resume is attached. The two reports submitted are also attached. In summary, our Prison is operated in a very professional manor and as efficiently as can be expected, but due to the low population of inmates (for reasons already outlined above), the costs per prisoner will remain very high. This is no fault of the staff or the County, but a result of the evolution of the justice system and society. The only significant opportunity to reduce costs was to consolidate with Pike. Hence the

need for the feasibility study to review that potential opportunity. Mr. Sweeney's report was submitted to the Wayne County Prison Board, who unanimously recommended that the Commissioners further explore this opportunity.

9. The Pike County Prison was selected as the most feasible location for many reasons. First, it has a capacity of 375 prisoners compared to Wayne's of 225. With required vacancy to handle an immediate influx, Wayne would be at capacity immediately if Pike prisoners were to come to Wayne. Secondly, the physical location from the Pike prison to Pike County Courthouse is 17.9 miles and from Pike prison to Wayne County Courthouse is 20.4 miles. From the Wayne County prison to Pike Courthouse is 42.1 miles and to Wayne County Courthouse is 3.9 miles. Thirdly, Pike County owns over 300 acres at the Pike prison site, which is surrounded by rural PA Gamelands and is in a non-industrial and non-residential area. Fourth, Pike County owns and operates its own sewer and water plants at this site. Fifth, the Pike prison could be expanded with little opposition and complications if needed in the future.
10. There are 10 Administrative positions, including Warden, Asst. Warden, Nurses, Lieutenants, and Office staff at Wayne County. There are 47 full time Corrections Officers at Wayne County, 5 Sergeants, and 4 Food service positions. Pike County had the following vacancies being held for Wayne County Employees – 44 Corrections Officers, 4 Sergeants, 2 Nurses, 1 medical assistant, 2 Food service, 2 Maintenance and 1 Treatment Counselor. The turnover rate of employees at Pike would give ample opportunity, in addition to the open positions, for Wayne County employees. The wages for the union contracted workers (Corrections Officers and Sergeants) range from \$5.54 to \$9.24 per hour MORE in Pike County. That is \$11,523 to \$19,219 more annually, not including overtime. It is 20 minutes further to drive to Pike Prison for anyone north of Honesdale. There would be no lapse in Health Care or retirement benefits. All seniority as it pertains wages, vacation, personal days, and sick days would be honored. Nearly every Wayne County Correctional employee would have had job opportunities at Pike County at higher wages. Wayne County also had many other department job openings, so opportunities would also have been available for employees to transfer to other Wayne County departments.
11. There are currently 66 full time employees and 60 Wayne County prisoners at WCCF.
12. There would need to have a Warden and Assistant Warden at Wayne to act as a liaison to the Courts and Human Services area, as well as all State and Local paperwork and reporting requirements.
13. There would need to be 2 additional Sheriff Deputies and another transport vehicle.
14. Prison Corrections Officers, Sheriff Deputies, Probation Officers and County Detectives are not involved in patrols or arrests on a daily basis in Wayne County. There is a public perception that they are. The reduction in public safety issue accordingly, is much less than perceived.
15. Roughly 60% of Wayne County prisoners are brought in by officers that do not do public patrols. (Sheriff, Probation, Constable, Wayne Detectives, PTS transport and other Counties).
16. The housing agreement would be perpetual and could only be broken if both Wayne and Pike agreed to end it.
17. All prisoners would be housed based on classification (like crimes housed together).
18. Wayne County Processes, procedures and punishments would be honored as directed by the Wayne County Judge, and can differ from what Pike does for other prisoners.
19. Pike County Prison has Medical professionals on site 24/7. Wayne covers 15 hours per day/5 days per week.
20. Pike County has a full-time secondary teacher assigned on site. Wayne does not.

21. Pike County has 3 full time Drug and Alcohol counselors on site. Wayne uses a contracted service on an as needed basis.
22. Pike County has a full-time mental health professional on site, with telemed on weekends. Wayne does not.
23. Pike County's recidivism rate for Drug and Alcohol is 21%. Wayne's is 24%.
24. Warden Bishop of Wayne County was "Warden of the Year for 2021". Warden Lowe of Pike County was "Warden of the Year in 2008". Both prisons have had dozens of years of 100% compliance with State inspections. Pike County was awarded "Prison of the Year in 2020".
25. Both prisons have ample technology to facilitate visitations, hearings, consultations and inmate meetings with their defense council remotely.
26. Costs:
 - a. Current Wayne County Budget (including line items not in current system of Insurance, Workman's Comp, Retirement and Unemployment Comp minus the revenue for housing other prisoners) is \$6,160,600. Based on the current 60 Wayne County prisoners- that cost is \$102,676 per prisoner per year.... Which equates to \$281.30 per day.
 - b. If we house prisoners at Pike County for \$120 per day as proposed, with a minimum of \$3,000,000 and add the extra costs (Sheriff staff, Warden/Assistant Warden, Medical costs, travel and vehicle) of \$502,000. The Total costs would be \$3,502,000. That equates to \$58,366 per year per prisoner, or \$159.90 per day.
 - c. The estimated net savings would be at least \$2,686,600 annually, if our prison population stays under 70 prisoners per day.
 - d. The savings are expected grow over time due to inflation.
 - e. There would be a buffer to add 9 more prisoners per day on average (69 total prisoners per day) before costs increase.
27. All stakeholders have been included for this study. The Court system (Judge, Administration, Probation, Domestic Relations, and District Magistrates), The District Attorney and Detectives, The Sheriff's office, the Public Defenders office, The Warden and Prison Medical and Program Staff, Human services of Behavioral Health and Drug and Alcohol, the state and Local Police, the prisoners and their families, and the Commissioner's Office have all had input. The Judge and her Probation Department, the DA and his Detectives, were all opposed to closing the Wayne County Prison, with both putting that opposition in writing and speaking to their position at a public Board of Commissioners meeting. The Fraternal Order of Police wrote a letter in opposition. The Sheriff was also in opposition to the closure.
28. If implemented, this housing agreement would allow for a balanced budget with no tax increase for 2022 and 2024. Due to the County-wide tax reassessment, we are planning no tax increase in 2023. Without the prison housing agreement in place, there will be a tax increase needed in 2022 and at least once again in the next three years to balance the budget.
29. Savings for the ten-year period assuming 3% inflation is estimated to be \$30,475,235 of taxpayer funds.
30. The future potential for other County priorities are also impacted. The existing prison retrofitting to serve other needs would not be available – this includes a potential Career Tech Center to teach skills to students and adults for Corrections, HVAC, Plumbing, welding, electrical, carpentry, and food service, providing job skills and employment for the future. The potential Cheese factory employing 15 full time workers and supporting 10 dairy farms would not be available at this location. The potential Food pharmacy and Food Pantry relocation would not be available (saving rental dollars and providing much better services). The potential AG Innovation opportunity utilizing this site would not be

- available. The potential morgue and coroner's space (saving rental dollars) would not be available. The economic development, educational development, social services regarding food, and employment opportunities are given up by not having this 64,667 square foot facility available for retrofit.
31. The Wayne County Correctional Facility is currently seeking every opportunity to increase revenues by housing inmates from other Counties, with potential opportunities being discussed.
 32. It was expressed by internal stakeholders, that there is a high-quality correctional experience at Wayne County Correctional Facility that benefits the entire community, and this benefit can't be quantified or underestimated. Leaving the prison operations as they are will allow Wayne County to control that experience.
 33. County Departments provide mandated and essential services. The County is not a profit seeking entity. However, it is the responsibility of the Commissioners to make sure the services are delivered to meet the requirements as efficiently and cost effectively as possible, with consideration of what that means in regards to all stakeholders, including the community, the consumers, the employees and tax payers.

This was a thorough study of the consequences of closing the Wayne County Correctional Facility and was difficult for many who might have been impacted. The research was done to the best of our ability. There were varying degrees of agreements and disagreements throughout this process, which led to the motion made on November 4, 2021: Motion to end the six-week correction facility study period and not to pursue a change in the Wayne County Correctional Facility at this time.

The Wayne County Commissioners would like to take the opportunity to thank those stakeholders who participated, those who weighed and those who will weigh in regarding this feasibility study.



Edward Sweeney, CJM, CCHP
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WAYNE COUNTY CORRECTIONAL FACILITY ASSESSMENT

On May 13, 2021, the Wayne County Commissioners engaged the services of Sweeney Corrections Consulting, LLC, to evaluate the operations of the Wayne County Correctional Facility (WCCF) and identify any significant cost factors that could be addressed to reduce the annual operating expense to local taxpayers. The neighboring Pike County requested a similar evaluation, therefore the feasibility of consolidating the inmate populations of Wayne and Pike counties was also assessed.

Opened in 2008, WCCF is a relatively modern 225-bed jail, with an operational capacity of 192. Operational capacity is defined as 15% below the physical bed capacity. The calculation identifies the typical bed space needed to effectively manage the varied classifications of inmates.

The facility appeared clean, orderly, and well-maintained during my site visit. As part of my assessment, I met with the WCCF Warden to discuss current operational challenges, reviewed schematic drawings of the facility, staffing analysis, staffing pattern, budget history, population data, and facility service components.

The WCCF has undergone repeated annual inspections by the state Department of Corrections as well as Prison Rape Elimination Act auditors. The results of the inspections and audits demonstrate full compliance with the related operational state and federal standards.

There are nine housing unit areas in the jail, some with hard cells, and others which are open dormitory-style. Every cell and/or housing area has an intercom that is monitored by central control; cameras are located throughout the facility and monitored by central control officers; almost all doors inside the secure perimeter are electronically controlled by central control.

There are two control booths near the housing units, but the sightlines from the control booths into the housing units are not particularly good, making reliance on indirect supervision unrealistic.

The current local inmate population in WCCF is low, relative to their available space. Portions of the jail have been closed to utilize available staff more efficiently. As of May, the average daily

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population (ADP) of local inmates in WCCF for 2021 was 59. According to the records, the ADP of local inmates, for the five years of 2010 - 2014 was 98. The average number of local inmates for the subsequent five years, which was also the five most recent years preceding the Covid-19 pandemic, (2015 - 2019), was 61.4. The second five-year period was 37% lower than the former and it appears to be sustaining.

There are currently 67 active full-time staff members, including the Warden, Deputy Warden, and an administrative assistant. Over the past year, the Warden reports having eliminated the positions of an administrative support person, a lieutenant, a sergeant, and five corrections officers. He also reduced the work hours from full-time to part-time for the Director of Inmate Services and discontinuing the use of varied part-time officers.

On the day of my site visit, there were 4 Lieutenants, 5 Sergeants, 48 Corrections Officers on the active payroll. The staffing analysis in place for uniformed personnel does not contain a calculated "relief factor," taking into consideration the number of hours/days when an employee is typically not available for a post assignment. (Sick leave, vacation, unpaid FML, training, personal days, bereavement days, etc.) The number of needed staff appears to be predicated on experience, and application of the typical relief factor nets out to about the same required number of staff to cover posts. If anything, the utilization of a calculated "relief factor" would result in requesting more staff, not less.

The deployment of uniformed staff over all three shifts, seven days a week, appears to be appropriate and reasonable for the management of the facility. All medical transports of inmates, scheduled and non-scheduled, are conducted by corrections officers. All court-related transports are conducted by sheriff deputies.

Three county-employed nurses provide on-site coverage from 6 a.m. to 8 p.m. seven days a week, providing medical care and administering medications. There is also a medical director (physician) is contracted directly by the county.

Among the full-time employees are a Food Service Director and three kitchen staff. The County Human Service office provides on-site behavioral health services at no cost to the jail. A county maintenance person, whose salary is not included in the jail budget, performs routine maintenance and repairs at the WCCF.

The "cost-per-day," to hold an inmate in Wayne County, as commonly understood, is certainly higher today than when there was significant revenue streaming in for holding inmates from other jurisdictions. Also, larger jails have the advantage of spreading their per inmate daily costs over a larger base, reducing their per diem expense. It is important to recognize however that,

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beyond those broad overtures, any references to an actual cost-per-day are fungible. There is no regulatory definition or even systemic norm detailing the calculation. It is based on what counties choose to include or not to include in their corrections budgets; whether they include per diem holds from other jurisdictions into their population denominator; how they calculate revenue related to any per diem contract inmates. Extensive accounting practices can help to reconcile "fixed costs," "marginal costs," and "step-fixed costs," but that will only serve to compare one's costs from year to year, provided the cost elements are the same. A cost-per-day figure is of no value when comparing county corrections systems.

All in all, the operations at WCCF appear to be relatively efficient. Minor savings could be realized in the food service area, including potential outsourcing. Minor savings could also be achieved by reducing on-site nursing coverage and shifting the responsibility of handing out medications to trained corrections officers. Not surprisingly, each of these potential initiatives, like a general reduction of custodial on-shift presence, comes with its own set of operational difficulties as well as potential increased liability. Any such cost-saving initiatives should only be undertaken after a full vetting by the WCCF Warden.

Sincerely,



Edward Sweeney, CJM, CCHP

August 26, 2021

Date

THE JOURNAL OF THE

AMERICAN MEDICAL ASSOCIATION

PUBLISHED WEEKLY

CHICAGO, ILL., U.S.A.

Subscription price, \$5.00 per annum in advance.

Single copies, 15 cents.

Entered as Second-Class Matter, May 2, 1882.

Postage paid at Chicago, Ill., and at additional mailing offices.

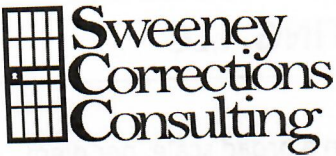
Acceptance for mailing at special rate of postage provided for in

Post Office Department Notice of April 26, 1933.

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FEASIBILITY STUDY – WAYNE & PIKE COUNTY JAIL CONSOLIDATION

1. When constructed, both Wayne and Pike County jails were appropriately sized based on the anticipated continued population growth in the region, and the prevalent systemic reliance on incarceration. Their respective community populations were in the throes of significant and swift growth. According to census figures, between 1990 and 2010 Wayne's population grew by a third, and Pike's population doubled.
2. Following the construction of their jails, both counties seized the opportunity to generate revenue, making their excess beds available to federal and state agencies, as well as neighboring counties. Pike maintains an active arrangement with the Department of Homeland Security, Immigration and Customs Enforcement to hold ICE detainees.
3. In the past decade, there has been a successful national effort to reduce our systemic reliance on incarceration. According to the 2019 Bureau of Justice Statistics report, the rate of incarceration in the U.S. has dropped by 20% since 2009, moving from 1 in 32 persons incarcerated to 1 in 40. The number of Americans incarcerated in jails and prisons is at a 20-year low, and still falling. Both Wayne and Pike County, in keeping with the national trend, have significantly reduced their local jail population. Pike County's local jail population declined, on average, about 10% per year, for the past six years. Wayne County's local jail ADP in 2013 was 104, and in 2019 it was 53.
4. In addition to the reduced incarceration rate, according to the 2020 census, the population of Wayne County declined by 3.2%, and Pike's rose by just 2%, since 2010.
5. The challenges of operating a jail with a modest inmate population are not unique to northern PA. According to a February 2021 report released by the U.S. Bureau of Justice Statistics, "Of the 2,850 local jail jurisdictions operating in the U.S. at midyear 2019, about one-third (35%) held less than 50 inmates on an average day." According to the same report, more than half (52.5%) of America's jails have an average daily inmate population of fewer than 100 inmates, holding just 7.6% of inmates in jail custody nationally.

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6. Not surprisingly, due to a declining incarcerated population on a broad scale, per diem housing revenue-generating opportunities have diminished. I've seen no systemic indication that large agencies like the Pennsylvania Department of Corrections or the U.S. Marshals Service will be expanding their use of per diem housing contracts with county jails in the northeast region anytime soon. The Department of Homeland Security, Immigration, and Customs Enforcement may still be interested in per diem housing contracts; however, ICE contracts involve a great deal of perpetual effort, and the politics associated with holding ICE detainees can generate a variety of problems not typically associated with local county decision making. Pike County is currently holding a couple of dozen ICE detainees and a handful for the U.S. Marshal, while Wayne County has no significant per diem population at present.
7. Another serious challenge both Wayne and Pike County jail officials have been facing recently is staffing. Maintaining the proper staffing is tantamount to safe and orderly operations in jails. The two jails are located 17 miles apart, and as such, they compete when it comes to hiring staff. Corrections work is challenging and requires a significant investment in training. Unfortunately, there are also two federal prisons and one state prison within a reasonable driving distance of both county jails. Those prison facilities not only compete with the local jails for new hires, but they also often draw trained and seasoned corrections employees away from the two-county jail operations. More broadly, in addition to stagnant census growth of a working population, national events and associated highly publicized protests appear to have steered many young people away from careers in criminal justice.
8. Both Wayne and Pike counties have recognized their local plights. A regional approach was requested to study the dramatic increase in costs of prisoners per day, with reduced prison population, and ongoing trends for reform over incarceration. Commissioners from both counties attended a recent County Commissioner's Association of Pennsylvania breakout session on this same topic. It must be recognized and stated directly that deciding to merge correctional populations and operations is a local decision of great significance, to be made by the responsible elected county commissioners. I have attempted to provide some pertinent information for their consideration, and I applaud the willingness of the elected county commissioners to weigh all options relating to their obligations to their local citizenry.
9. In the state of Pennsylvania, the operation of a local county jail is typically considered a core function of county government. Counties are required to support the courts with corrections and criminal justice programs, although some PA counties have fulfilled their obligations without operating a local jail.

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10. 34 of Pennsylvania's 67 counties are categorized as class six, seven, or eight. The adjacently positioned, northeastern counties of Wayne and Pike are among the 24 sixth-class counties; all of which currently operate jails. There are five counties in PA that do not operate a local jail, choosing to rather enter into a per diem agreement with one or more surrounding counties to house their inmates. Four of them are eighth-class counties (Forest, Cameron, Fulton, Sullivan) and one is a seventh-class county (Juniata).
11. There are 19 states in the nation that have statutory language authorizing or delineating regional county jail facility operations for two or more municipalities, Pennsylvania is not one of them. Due to the lack of any state regulatory language, the associated contract terms, and related details of any consolidation have been left to the involved counties.
12. A consolidation of the Wayne and Pike County facility populations should only be undertaken if the outcome is considered to be advantageous to both counties and under the pretense of a long-term plan. Such an agreement should have a term no less than ten years, with a one-year notice of severance requirement thereafter.
13. Both counties appear to have similar philosophies and goals, and unlike regional endeavors involving three or more municipal partners, reaching an agreement on terms appears quite feasible.
14. The size and location of the jail facility to be potentially utilized by both counties are obvious primary concerns. The courthouses and jails in both Wayne and Pike counties are separated by several miles, and each county utilizes sheriff deputies to transport inmates to and from court proceedings. The distance from each county's jail to the other county's courthouse is important when considering a consolidation of jail facilities. Below is a list of relevant travel times and distances as described in Google Maps.
 - a. Wayne County jail to Wayne courthouse 3.9 miles, a 12-minute drive
 - b. Pike County jail to Pike courthouse 17.9 miles, a 23-minute drive
 - c. Wayne County jail to Pike courthouse 42.1 miles, a 58-minute drive
 - d. Pike County jail to Wayne courthouse 20.4 miles, a 32-minute drive
15. The housing of Pike County inmates in Wayne would require the Pike County Sheriff Deputies to travel 42.1 miles in each direction when transporting inmates for court, compared to their current travel of 17.9 miles in each direction; an increase of 48.4 miles roundtrip. Housing the Wayne County inmates in Pike would require the Wayne County Sheriff Deputies to travel 20.4 miles in each direction as compared to their current travel of 3.9 miles; an increase of 33 miles roundtrip.

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16. The increased travel time and distance should also be considered for all required in-person meetings with legal counsel, law enforcement interviews, probation interviews, and county-oriented behavioral health services. Additional travel would also be required to transport new commitments following preliminary arraignments to the neighboring county's jail facility. Deputies will need to be on-call to perform off-hour commitment-related transports.
17. The time and distance associated with all travel among the two counties are reasonable, making the potential consolidation viable. Wayne's local inmate population and their number of daily commitments are less than Pike, meaning the number of associated trips would be less if the inmates were consolidated in Pike.
18. If consolidation was to occur, moving the Wayne population into the Pike jail facility would result in the least amount of additional travel. The Pike County jail has ample teleconferencing equipment and space, which should be utilized to the greatest degree possible, and even perhaps improved/expanded.
19. Using the 2015 - 2019 average daily population for both counties, their combined inmate population was 193. The Wayne County facility has an operational capacity of 192. Any increase in the incarcerated population, from one or both counties, would quickly result in an overcrowded condition. As such, I would not recommend consolidating the Pike County inmate population into the Wayne County facility. A consolidated population of 193 would fit well into Pike's operational capacity of 319 beds, allowing for population fluctuations and growth, while still having room for other per diem contracts if so desired.
20. From a financial perspective, a consolidation of the neighboring populations makes good sense for both counties. Using rough calculations, and a reasonable per diem rate, Wayne County's annual budget expenditure would be reduced by about three million, and Pike's revenue would be increased by about two million dollars.
21. Qualitatively, a consolidated population may well improve some local operations and services.
 - a. Both counties are struggling to staff their respective facilities. The Wayne County staff should, to the greatest degree possible, be offered employment at Pike, improving their staffing situation.
 - b. Both counties are closing housing units due to reduced county population and staffing, resulting in fewer options for effective classification. Consolidating the two local populations will require more housing units to be utilized, providing increase availability for separations of violent and non-violent inmates, as well as varied special management housing options.

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- c. Pike county has contract medical staff on-site 24 hours per day, seven days a week. Wayne does not have around-the-clock, on-site medical presence, to care for the inmate population.
 - d. Both counties are trying to bring in state and/or federal per diem inmates; their varied backgrounds, needs, and criminal histories are often very different than the local inmate population. Consolidation would allow both counties to focus more on local corrections-related initiatives and less on extraneous and arduous agency inspections.
 - e. The unpredictable nature of the revenue associated with state and federal per diem agreements can be very problematic when those revenues are not realized. A long-term partnership with a neighboring county provides increased stability in budgeting for both counties.
22. While such a partnership may offer many potential benefits to both parties, it will also undoubtedly generate its own set of real-life challenges. If the consolidation into PCCF were to be undertaken, I would highly recommend the Wayne County Warden and Deputy Warden remain in their authoritative Wayne County roles, to manage the related problems or concerns that would undoubtedly arise. Said differently, there needs to be a local point person or two, to resolve issues flowing from the Wayne County courts (including the clerk of courts), the sheriff's staff, public defenders, probation officers, and assistant district attorneys, as well as to deal with the Pike County jail officials regarding problems from their end, and the complaints or grievances from the Wayne County inmates, their families, or officials. In addition to troubleshooting, these individuals should also be assembling, tracking, and sharing data reports relating to the Wayne County inmates to be shared with their county's criminal justice stakeholders. Ongoing reporting will help to maintain confidence among Wayne County stakeholders that the consolidation initiative is working.
23. Nothing in this report should be construed as legal advice, however, one legal matter is worth mentioning. My understanding is that prospectively, without a county jail, Wayne County judges will no longer have the prerogative to issue state sentences of less than five years (maximum term) to be served in a county facility. According to Title 42, Chapter 97, Section 9762 – Sentencing proceeding; place of confinement the president judge, the district attorney, and the chief public defender of the county shall be notified of the change. I don't consider this to be a problem since I've never supported state sentences being served in PA county jails, but for some, it may be an issue. Perhaps no one with standing would even take exception to it if the practice were to continue, but I felt it was important to mention.
24. Many operational details and concerns would still need to be resolved to the satisfaction of both counties. Much of the work and compromise would be among the Wayne County stakeholders, whose operations would be significantly changed. Open dialogue and constructive candor from the outset, regarding all related goals and operational issues, would be required to broker an arrangement that is comprehensive and workable for

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both counties. Primary topics for resolution would include but may not be limited to, the division of costs (per diem rate, catastrophic medical expenses, civil litigation liability); commitment and release paperwork/processes; transportation protocols; the use of remote technology; official visitation access; and administrative investigations.

25. If consolidation of the jail populations occurs, ongoing honest communication, and cooperation, for years to come will be critical for continued success.
26. Lastly, criminal justice is a perpetually evolving system of governance, and the participating public servants are obligated to adjust their respective roles to support the evolving landscape.

Sincerely,



Edward Sweeney, CJM, CCHP

August 26, 2021

Date

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Sweeney Corrections Consulting, LLC

March 2017 – Present

Providing corrections related expert witness services for both plaintiff and defense counsel. Reviewing evidence, providing consultation, preparing reports and testifying as needed. References are available upon request.

Performing Prison Rape Elimination Act (PREA) audits for adult correctional facilities. Reviewing policies along with other documentation, observing practices, interviewing staff and inmates, to assess compliance with the established national standards and associated provisions. Making a final determination of compliance and prescribing corrective actions when necessary.

Providing general assistance to correctional administrators in the areas of policy development, preparing requests for proposals, responding to right to know requests, assessing training programs, standard compliance, safety concerns, system/process improvements including but not limited to physical plant modifications.

Director of Corrections for the County of Lehigh, PA

September 1999 – January 2017

Cabinet level position reporting directly to the elected County Executive in a Home Rule Charter form of government. Responsible for oversight and administration of a 1,350 bed Jail facility, a 400 bed Community Corrections Center, and a 48 bed Juvenile Detention Center.

- Prepared, implemented, and enforced policy manual directing all aspects of departmental operations.
- Effectively managed over 300 full-time bargaining and non-bargaining unit employees as well as varied contracted service providers, with respect and accountability. Responsible for all hire, fire and promotional decisions.
- Negotiated professional service contracts with private vendors and enforce said terms.
- Negotiated and enforced Collective Bargaining Agreements with organized government employee groups.
- Worked with architects and project managers to plan and construct all existing Lehigh County corrections facilities.
- Successfully stemmed system overcrowding by working with courts and other local criminal justice practitioners to change antiquated practices, resulting in nine consecutive years of reduced population, despite 12% rise in overall county community census.
- Managed all corrections related litigation, with varied assigned Assistant County Solicitors and insurance professionals.
- Planned and implemented countywide Central Booking operation, inside of the jail, for the processing of all arrestees, including D.U.I.'s, in concert with District Attorney.
- Negotiated professional service contracts with private service providers and enforced terms of agreements.
- Established and maintained per diem contracts with varied agencies including but not limited to the United States Marshals Service, PA State Department of Corrections, and the City of Philadelphia.
- Interacted directly with County Commissioners, State/Federal Legislators, Judges and media.
- Ensured fiscally responsible capital improvements were funded and completed in a timely manner.
- Founding member (2002) and co-chair of the Lehigh County Criminal Justice Advisory Board (CJAB), providing a forum for varied Criminal Justice practitioners to assemble monthly to discuss systemic or specific concerns and ways to improve our local criminal justice processes.
- Chairperson of the CJAB Data Committee, focused on the collection of data in order to identify trends or bottlenecks in the system and present plans of action to address same. Assembled an annual county-wide Criminal Justice Data Report and a comprehensive recidivism research report.
- Lived and breathed our departmental mission, to "Enhance public safety via lawful confinement of individuals and targeted rehabilitative programming."
- Personally driven to remain current in corrections related case law, legislation, technology, trends and practices.

Warden of Lehigh County Jail, Allentown, PA

February 1993 – February 2002

Responsible for managing all operations of a 1,350 bed maximum-security correctional facility, including the opening of the new generation high rise correctional facility upon completion of construction; learned a great deal about construction requirements and process, as well as corrections technology products. Managed terms of a preexisting federal consent decree for several years, culminating in the successful closure of the consent decree by the Federal Court.

Warden of Lehigh County Interim Correctional Facility, Salisbury, PA

November 1989 – February 1993

Responsible for administering all operations of a 300-bed medium security correctional facility. Planned and coordinated the opening of

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Responsible for administering all operations of a 300-bed medium security correctional facility. Planned and coordinated the opening of the facility within a six-month time frame, utilizing modified trailers adjoined to a core structure, with a strong fence system and perimeter patrols; learned to improvise and to challenge staff.

Deputy Warden of Lehigh County Work Release Center, Allentown, PA

October 1988 - November 1989

Directed the renovation of urban apartment building and opening of a 100-bed community-based work release facility and administered operation of same. Established and managed an independent annual budget and supervised 20 employees, with strong focus on reentry.

Work Release Supervisor, Lehigh County Jail, Allentown, PA

September 1986 - October 1988

Served as a mid-manager in the jail's Treatment department, responsible for screening individuals for placement into jail work release dormitory and overall responsibility for management of work release program; learned to appreciate the chasm of needs for most of our returning citizens.

Corrections Officer, Lehigh County Jail, Allentown, PA

December 1984 - September 1986

Responsible for direct care, custody, and control; learned a great deal about human behavior, including uniformed staff culture.

Education

Bachelor of Arts in Business Management

Allentown College of Saint Francis de Sales (now DeSales University), Center Valley, PA

Associates Degree in Business Administration

Lehigh County (now Carbon) Community College

William Allen High School, Allentown, PA

Ancillary Professional Summary

- Certified Jail Manager (CJM) via the American Jail Association (AJA) since 2006.
- Certified Correctional Health Professional (CCHP) via the National commission on Correctional Healthcare (NCCHC) since 2016.
- Certified Prison Rape Elimination Act (PREA) auditor, via the United States Department of Justice and the PREA Resource Center since 2018.
- Founding member of the statewide Pennsylvania County Corrections Association, formed in 2001, affiliated with PA County Commissioners Association. Served on the Executive Board for 14 years including President, First Vice-President, Second Vice-President, Past President, and Executive Board member for Eastern district of the State. Also served as Chairman of Vendor Committee, Chairman of By-Laws Committee, and Chairman of Legislative Affairs Committee, as well as numerous statewide subcommittees. The association provided me a vehicle to help shape varied statewide legislative, regulatory, and sentencing commission proceedings and legislative initiatives.
- Previously a nine-year member of the Pennsylvania Prison Wardens Association. Beginning in 1990, served as one of four representatives for statewide legislative affairs committee, representing the Warden Associations interests in Harrisburg. Served as the Eastern Regional Executive Board Representative for the Pennsylvania Prison Warden's Association.
- One of nine selected Jail Administrators to participate in National Jail Succession and Leadership Development Project. Assembled and published identified core competencies and required knowledge, skills, and abilities for jail leadership in concert with the Center for Innovative Public Policies, Inc., Sam Houston State University, and the American Jail Association, for the U.S. Bureau of Justice Assistance.
- Member of special U.S. Department of Justice Task Force (now closed) to stem drug traffic in highway corridor connecting New York City, Philadelphia, Lehigh Valley, and Baltimore.
- Selected as the local corrections representative for Pennsylvania to attend National Institute of Corrections Regional Workshops in Baltimore (2004) and Pittsburgh (2006) to help The Moss Group and the Prison Rape Elimination Act (PREA) Commission shape the initial PREA efforts. Also selected as one of the 15 jail experts nationally to attend a "Listening Session" at the U.S. Department of Justice in Washington, D.C., January 2010, regarding the final draft of PREA.
- Served as the sole county corrections representative on the Pennsylvania Commission on Sentencing's Strategic Planning Work Group; to conduct comprehensive review of existing sentencing policy, regulation, as well as guidelines, and to make recommendations to legislature for systemic changes.

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- Authored the Guest Editorial for the American Jails May/June 2017 national magazine titled "In Keeping Justice Accountable," describing the importance of the overarching principle of justice in our criminal justice system.
- Authored an article for the Corrections Managers' Report titled "What Do We Really Mean by Recidivism Anyway?" Published in February/March 2017, the article discusses the value of good data and the inconsistent definitions and research behind the term.
- Authored article for Corrections Manager's Report alerting fellow corrections managers about a recent impactful judicial ruling, "Third Circuit Ruling may Discourage Jails from Assisting Immigration Enforcement." April/May 2014 publication.
- Authored article for American Jail Association magazine highlighting the potential for vast achievements and system improvements through open communication and group discussions among varied criminal justice system practitioners at the local level, titled "A Collective Intelligence," September/October 2010.

